IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.31180 of 2008
BIRENDRA GIRI
Versus
STATE OF BIHAR
---

2 21.8.2008 Heard.

The bail application of the petitioner who is the husband of the deceased in a case under sections 498A, 304B and 201/34 of the I.P.C. was rejected vide order dated 22.1.2008 passed in Cr.Misc.No.38263/07 with liberty to him to renew his prayer for bail after three months.

The learned counsel for the petitioner submits that if he had any intention to kill his wife he would have not have kept her with himself at Ahmadabad after her fracture injury .He further submits that the petitioner is in custody for 3 ½ years and two witnesses who has been examined have turned hostile.

In the circumstances the petitioner, Birendra Giri, is directed to be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of F.T.C. Ist, Patna , in S.Tr.No.1588/05 arising out of Masaurdhi P.S.Case No.92/04 subject to the condition that he will not physically absent for two consecutive dates till further two witnesses are examined in the trial.

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Anilksinha **(Samarendra Pratap Singh,J.)**